

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

AARON CARTER,

Plaintiff,

v.

CIVIL ACTION NO. 7:16-cv-00123

L. J. FLEMING, et al.,

Defendants.

JOINT MOTION TO DISMISS WITH PREJUDICE

Pursuant to Rule 41 of the *Federal Rules of Civil Procedure*, Plaintiff Aaron Carter and Defendants Fleming, Broyles, Stallard, and Gregg, stipulate to dismissal of this action with prejudice. The parties having reached a settlement in this matter, there are no longer any issues in this action between Plaintiff and the Defendants to be determined by the Court. The parties agree that the dismissal shall discharge Defendants from all claims and demands related to this lawsuit and from all claims arising out of the same facts; and if Defendants fail to follow through with the terms of the settlement agreement within a period of 60 days from the date of the entry of the dismissal order, Plaintiff shall retain his right to reinstate the suit.

A proposed order of dismissal is attached to this motion.

Respectfully submitted,

By: _____ /s/
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CERFIFICATE OF SERVICE

I hereby certify that on the 9th day of March, 2018, I electronically filed the foregoing Joint Motion to Dismiss with Prejudice with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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Counsel for Plaintiff

And I hereby certify that I have mailed the document by United States Postal Service to the following non-filing user: N/A

/s/

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